

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

NOV 3 1998

Dr. Karyn J. Reed, Ph.D.
 Environmental Affairs Specialist
 Salesco Systems
 5736 West Jefferson Street
 Phoenix, AZ 85043

Dear Dr. Reed:

This responds to your letter of September 18, 1998 to David Hannemann of my staff seeking clarification of the regulatory requirements for fluorescent light ballasts as outlined in the recently published PCB Disposal Amendments final rule.

Your letter states that you interpret the new regulations to require all lighting ballasts with the "no PCBs" label to be transported to a licensed facility on a hazardous waste manifest unless analytical data is provided to show that the potting material contains PCBs <50 ppm. This is incorrect. The Agency has no information indicating that fluorescent light ballasts with the "no PCBs" label have PCBs in either a small capacitor or the potting material. Therefore, these fluorescent light ballasts are not regulated under the Toxic Substances Control Act. Since such fluorescent light ballasts are not regulated under TSCA, no uniform hazardous waste manifest is required. However, individual States or other federal regulatory requirements could still apply. You would have to determine which regulatory requirements apply for the States in which you operate.

Your letter also states that a facility receiving fluorescent light ballasts must have a permit to incinerate, landfill or dispose of the ballasts by an alternative disposal method. If your question relates to fluorescent light ballasts containing PCBs in their potting compound at 50 ppm or greater, they are regulated as PCB Bulk Product waste under 40 CFR 761.62(a)(1). While incineration, landfilling and disposal by an alternative method are still acceptable methods of disposal, disposers of fluorescent light ballast can use the decontamination provisions under 40 CFR 761.79 which are self implementing (an approval from the Agency is no longer required). Facilities that currently have alternative disposal technology approvals under 40 CFR 761.60(e) will not have their approvals renewed at expiration unless they can demonstrate why such an approval is necessary.

DHannemann:dh/OPPT-NPCD-FOB/190October1998/7404/260-3961/ET835J:C:\WP\Letter\salesco.ball
 File:FOB;CHRON-READING;AUTHOR./Ltr. to Dr. Karyn Reed, Ph.D., Salesco Systems, Phoenix AZ./RE: Fluorescent light
 ballasts, .60(e) disposal approval, "no PCBs" label, manifest requirements

CONCURRENCES

SYMBOL	7404						
SURNAME	<i>[Signature]</i>						
DATE	10 Oct 98						

EPA Form 1320-1A (1/90)

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OFFICIAL FILE COPY

If you have further questions or need additional clarification please contact David Hannemann of my staff at (202) 260-3961.

Sincerely,

John W. Melone, Director
National Program Chemicals Division



September 18, 1998

Dave Hannemann
U.S. EPA
Mail Code 7404
401 M Street, Southwest
Washington, D.C. 20460

Dear Mr. Hannemann:

I am writing to request clarification of the new PCB regulations with respect to disposal and decontamination of fluorescent light ballasts. Specifically, I am seeking clarification concerning how the ballasts must be shipped and what permits are required to process the ballasts.

Our interpretation of the new regulations is that all lighting ballasts not marked with a "no PCBs" label must be transported to a licensed facility on a hazardous waste manifest, unless analytical data is provided to show that the potting material contains PCBs <50 ppm. It is also our interpretation that a facility must have a permit to incinerate, landfill, or dispose of the ballasts by an alternate disposal method. Customers and competitors we have spoken with have the following interpretation: ballasts can be transported on a Bill of Lading to a facility that would not require any formal permit or approval. *No*

In order to ensure compliance with the current regulations, I am requesting clarification in the form of the following questions:

1. Under the current regulations, can ballasts be transported on a Bill of Lading or is a hazardous waste manifest required? *- not for "no PCB" manifest ballasts - B/L is OK*
2. Do the regulations require an alternate disposal permit and/or approval in order to process and recycle the ballasts? *Yes*

As I mentioned, it is important that we receive clarification on these issues so we ensure our continued compliance with federal regulations. Our company prides itself on maintaining compliance with all regulations governing our recycling operations and we wish to maintain our strong compliance history. I look forward to hearing from you soon regarding your synopsis and appreciate your time and assistance. Thank you.

Sincerely,
SALESCO SYSTEMS USA, INC

Karyn J. Reed

Karyn J. Reed, Ph.D.
Environmental Affairs Specialist



NATIONAL SALES & MATERIAL CONTROL OFFICE

5736 WEST JEFFERSON STREET • PHOENIX, ARIZONA 85043 • (800) 368-9095 • (602) 233-2955 • FAX (602) 415-3030



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

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OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Dr. Karyn J. Reed, Ph.D.
Environmental Affairs Specialist
Salesco Systems
5736 West Jefferson Street
Phoenix, AZ 85043

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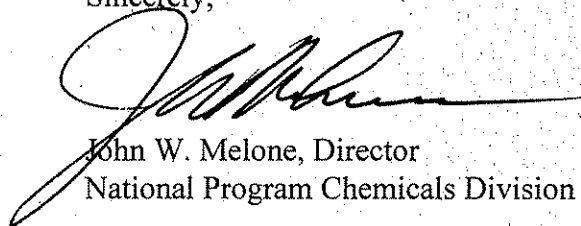
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If you have further questions or need additional clarification please contact David Hannemann of my staff at (202) 260-3961.

Sincerely,

A handwritten signature in black ink, appearing to read "John W. Melone", with a long horizontal flourish extending to the right.

John W. Melone, Director
National Program Chemicals Division